

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

The specification (including the abstract) has been editorially revised to place this case in better condition for issue. In order to facilitate entry of the changes, a substitute specification is being provided. No new matter has been added.

Without acceding to the rejection under 35 U.S.C. § 103(a), Claims 17-20 have been cancelled without prejudice or disclaimer in order to reduce the issues, and the remaining claims have been amended for clarity. The Examiner's indication of allowable subject matter in Claims 3-6 and 10-13 is noted with appreciation. These claims have been retained in dependent form in view of the allowability of independent Claim 1 as discussed hereinafter.

Claim 1 has been amended more particularly to set forth that the recited diffraction grating is formed at cemented surfaces of the first and second diffractive elements. See, for example, the cemented diffraction grating 1 in Fig. 1.

As will be apparent, the cited Fujimoto and Nakabayashi references fail to show a cemented diffraction grating in accordance with Applicants' invention. Rather, to the extent that either reference shows a multi-layer diffractive

optical element, the diffraction gratings thereof are arranged at spaced surfaces—not cemented surfaces—of the individual diffractive elements.

Accordingly, Claim 1 distinguishes patentably from the Fujimoto and Nakabayashi references and should now be allowed. Dependent Claims 2-16 should also be allowed for the same reasons as Claim 1, it being noted further that at least Claims 3-6 and 10-13 are separately patentable for the reasons previously indicated by the Examiner.

An early Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

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